

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE NEW YORK TIMES COMPANY and
CAITLIN H. DICKERSON,

Plaintiffs,

-against-

CUSTOMS AND BORDER PROTECTION,

Defendant.
----- X

19 Civ. 9017 (JLC)

**STIPULATION AND
ORDER OF DISMISSAL**

WHEREAS on or about September 27, 2019, Plaintiffs The New York Times Company and Caitlin H. Dickerson filed this suit in the United States District Court for the Southern District of New York pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), seeking the release of certain records allegedly possessed by Defendant Customs and Border Protection (“CBP”), in connection with two FOIA requests for the same records, each dated August 5, 2019 (the “FOIA Requests”);

WHEREAS CBP responded to the FOIA Requests by, among other things, producing responsive, non-exempt records on June 30, 2020 and September 11, 2020;

WHEREAS The New York Times Company has determined that it will not pursue further release of information or documents and seeks to dismiss its claims against CBP under the terms set forth below;

IT IS HEREBY STIPULATED AND AGREED, by and between The New York Times Company and CBP, as follows:

1. CBP’s productions resolve any and all claims that The New York Times now have or may hereinafter acquire against CBP or the United States of America (the

“United States”), or any department, agency, officer, or employee of CBP and/or the United States, related to or arising out of the FOIA Requests.

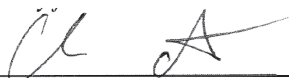
2. The claims brought by The New York Times are hereby dismissed with prejudice pursuant to Federal Rule of Civil Procedure, 41(a)(1)(A)(ii), with each party to bear its own fees and costs.

3. The New York Times and CBP understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

4. Nothing in this Stipulation and Order affects, or shall be construed to affect, the rights of Plaintiff Caitlin H. Dickerson to pursue the further release of information or documents.

Dated: New York, NY
December 22, 2020

AUDREY STRAUSS
Acting United States Attorney
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THE NEW YORK TIMES COMPANY and
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Counsel for Plaintiffs

SO ORDERED:

HONORABLE JAMES L. COTT
UNITED STATES MAGISTRATE JUDGE